**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE**

**WEDNESDAY, THE 8TH NOVEMBER 2006 / 17TH KARTHIKA 1928**

**WP(C).No. 29270 of 2006(H)**
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**PETITIONER:**
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**R.RAJEEV MENON, S/O.RAMAKRISHNAN,**
**KOLLERY HOUSE, VATTANATHARA VILLAGE,**
**ALAGAPPA NAGAR, THRISSUR VILLAGE.**

**BY ADV. SRI.BABU JOSEPH KURUVATHAZHA**

**RESPONDENTS:**
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**1. ALAGAPPA NAGAR GRAMA PANCHAYATH,**
**REP. BY ITS SECRETARY,**
**OFFICE OF THE ALAGAPPA NAGAR,**
**AMBALLOOR, THRISSUR DISTRICT.**

**2. ALAGAPPA NAGAR PANCHAYATH COUNCIL,**
**REP. BY ITS PRESIDENT,**
**OFFICE OF THE ALAGAPPA NAGAR, AMBALLOOR,**
**THRISSUR DISTRICT.**

**3. SECRETARY,**
**ALAGAPPA NAGAR GRAMA PANCHAYATH,**
**OFFICE OF THE ALAGAPPA NAGAR GRAMA PANCHAYATH,**
**ALAGAPPA NAGAR, AMBALLOOR, THRISSUR DISTRICT.**

**4. TRIBUNAL FOR LOCAL ADMINISTRATION,**
**THIRUVANANTHAPURAM,**
**REP. BY ITS SECRETARY.**

**BY SENIOR GOVERNMENT PLEADER SRI.MATHEW G.VADAKKEL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**PIUS C.KURIAKOSE,J.**

**W.P.(C) NO.29270 OF 2006**

**Dated this the 8th day of November, 2006**

**J U D G M E N T**

There appears to be some genuineness about the grievance voiced by the petitioner in this writ petition. Petitioner was served with Exhibit P1, no objection certificate by the 1st respondent Panchayat permitting the petitioner to construct a building for the purpose of establishing a small scale industry in package drinks and fruit juice with the financial assistance from Bank of India. The grievance is that once the petitioner completed the construction of the building on the strength of Exhibit P1, the Panchayat Committee adopted Exhibit P6(a) resolution deciding not to grant license to the petitioner on the reason that there is acute shortage of drinking water in the area in question. The petitioner has already preferred Exhibit P8 appeal before the Tribunal against Exhibit P6. It is only appropriate that the Tribunal takes an early decision on Exhibit P8.

Under these circumstances, I am of the view that the writ petition itself can be disposed of even without notice to the Panchayat. The 4th respondent Tribunal is directed to take up

Exhibit P8 appeal and dispose of the same in accordance with law and at its earliest at any rate within 10 weeks of receiving copy of this judgment. In the meanwhile, the Panchayat will allot a provisional number to the building already constructed by the petitioner on the strength of Exhibit P1. This the Panchayat will do within two weeks of receiving copy of this judgment. It is made clear that the numbering of the building on the strength of this order will be subject to the outcome of the appeal pending before the Tribunal.

**PIUS C.KURIAKOSE, JUDGE**

Rp